

Message Text

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ORIGIN IO-10

INFO OCT-01 ARA-06 ISO-00 DHA-02 AF-06 EA-07 EUR-12 NEA-10

OIC-02 INRE-00 SSO-00 NSCE-00 USIE-00 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 /096 R

DRAFTED BY IO/UNP:WEHEWITT:BKM

APPROVED BY IO:ROBLAKE

ARA/BC:RFIMBRES

L/UNA:MMATHESON (SUBS)

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

INFO AMEMBASSY SANTIAGO

LIMITED OFFICIAL USE STATE 278703

E.O. 11652: N/A

TAGS: UNGA, SHUM

SUBJECT: THIRD COMMITTEE--ITEM 73, ALTERNATIVE APPROACHES
AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR
IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

REF: USUN 6229

1. DEPT NOTES THAT OF THE TWO DRAFT RESOLUTIONS TRANS-
MITTED REFTEL, THAT SPONSORED BY THE UNITED KINGDOM
APPEARS TO HAVE BEEN SUBMITTED FIRST AND MAY CONSEQUENTLY
RECEIVE PRIORITY IN THE VOTING. USDEL AUTHORIZED TO VOTE
FOR UK DRAFT RESOLUTION. EFFECT OF ITS ADOPTION MAY BE
TO PRECLUDE ACTION ON THE CHILEAN DRAFT RESOLUTION. IF,
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HOWEVER, THERE IS A MOTION MADE IN THE COMMITTEE TO TAKE

UP AND VOTE UPON THE RESOLUTION PROPOSED BY THE DELEGATION OF CHILE, USDEL SHOULD SUPPORT SUCH A MOTION.

2. IF CHILEAN DRAFT RESOLUTION IS TAKEN UP, USDEL MAY EXPRESS SUPPORT FOR IT ON CONDITION THAT CHANGES NOTED BELOW ARE MADE IN ITS TEXT. USDEL SHOULD CONSULT IN ADVANCE WITH CHILEAN DELEGATION AND SUGGEST THAT THEIR DRAFT BE AMENDED IN CONFORMITY WITH THE FOLLOWING POINTS:

A. AS IT PRESENTLY STANDS, PENULTIMATE PREAMBULAR PARAGRAPH IS UNACCEPTABLE. DEPT UNDERSTANDS THAT REFERENCE TO ECOSOC RESOLUTION 1503, WHICH USG HAS CONSISTENTLY STRONGLY SUPPORTED, HAS BEEN MODIFIED TO READ "HAS NOT FULLY ACHIEVED THE OBJECTIVES FOR WHICH IT WAS ESTABLISHED" IN PLACE OF "HAS COMPLETELY FAILED TO ACHIEVE THE OBJECTIVES..." IF THIS UNDERSTANDING CORRECT, USDEL NEED REQUEST NO FURTHER CHANGE IN THIS PARA.

B. IN FINAL PREAMBULAR PARAGRAPH THE PHRASE "ALL ALLEGATIONS" SHOULD BE CHANGED TO READ "ALL ALLEGATIONS SUPPORTED BY RELIABLE EVIDENCE."

C. IN OPERATIVE PARAGRAPH 2 THE PHRASE "AUTOMATIC AND COMPULSORY FOR ALL MEMBER STATES" SHOULD BE DELETED. OUR REASONS FOR THIS DELETION ARE TWO-FOLD: (A) IT WOULD BE BEYOND THE CHARTER POWERS OF THE GENERAL ASSEMBLY TO ESTABLISH A SYSTEM OF INVESTIGATIONS WHICH WOULD BE AUTOMATIC AND COMPULSORY FOR MEMBER STATES, AND (B) AS A MATTER OF POLICY THE USG COULD NOT ACCEPT IN ADVANCE TO BE BOUND TO ACCEPT ANY INVESTIGATION WHICH MIGHT BE ORDERED BY A DECISION OF THE GENERAL ASSEMBLY OR RELATED ORGAN. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, AGREEMENT DRAFT, INSTRUCTIONS, UNGA RESOLUTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE278703
Document Source: CORE
Document Unique ID: 00
Drafter: WEHEWITT:BKM
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750410-0621
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751115/aaaaampa.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 08 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 JUL 2003 by ElyME>; APPROVED <10 NOV 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: THIRD COMMITTEE--ITEM 73, ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR
TAGS: SHUM, US, UK, CI, UNGA
To: USUN NEW YORK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006